IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the January 05, 2005
Criminal Misc. Bail Application No. 1043/2004
Order on the bail application of accused.

Criminal Side
Yogesh S/o Mahendra Saini
R/o Village Ballupur, P.S. Jhabreda
District Hardwar

..Applicant.

Versus

State of Uttaranchal ..Opposite Party.

Arising out of Case Crime No. 77 of 2004
U/Ss 302,394,201,411 I.P.C.
Police Station Gangnehar, (Roorkee)
District Haridwar.

By the court

Hon'ble J.C.S. Rawat, J.

Heard Sri Sanjeev Singh learned counsel for the applicant and learned G.A.

Perused the record. The learned counsel for the applicant has contended that Swantanatra Singh is the father of the deceased and Satish Kumar is the real uncle of the deceased. It was further contended by the learned counsel for the applicant that nobody will make the extra judicial confession before the person to whom he does not have any confidence that he will save him. The incident took place on 19.05.2004 and the alleged extra judicial confession was said to have been made on 27.05.2004 and the statement was recorded on 13.06.2004 before Swantantra Singh and Satish Kumar. Considering the totality, facts, circumstances of the case and contentions submitted by the learned counsel for the applicant, it is a fit case for bail.

Let the applicant-accused be released on bail on his executing a personal bond each and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J)

Dated 05.01.2005
SJ